

Proposed 2011-2012 Early Migratory Bird Code Approval

Committee: Regulations

Date: July 26, 2011

Explanation:

Early-season migratory game bird regulations must be adopted by states and reported to the U. S. Fish and Wildlife Service by August 1. Proposals were presented to the Commission at the June meeting with another option being added for Mourning Dove and Eurasian Collared Doves. The final proposals for adoption will be presented for approval at this meeting.

Prepared by: Luke Naylor

Proposed 2011-2012 Early Migratory Bird Code Approval

Approved Changes - Red Ink

Approved Calendar Adjustments – Orange Ink

Approved Code Clarifications - Blue Ink

- 12.01**
07-11 **MOURNING AND EURASIAN COLLARED DOVE SEASON RESTRICTIONS.** It is unlawful to take or attempt to take Mourning and Eurasian Collared Doves other than from Sept. 3-Oct. 30 and Dec. 26, 2011-Jan. 6, 2012.
EXCEPTION:
(1) In compliance with applicable WMA regulations.
PENALTY: \$200.00 to \$1,000.00.
- 12.03**
07-11 **TEAL SEASON RESTRICTIONS.** It is unlawful to take or attempt to take Teal other than from Sept. 10-25, 2011.
EXCEPTION:
(1) Teal may be taken in compliance with Code 12.15, Duck and Coot Season Restrictions and Code 12.17, Duck Daily Bag and Possession Restrictions.
PENALTY: \$200.00 to \$1,000.00.
- 12.05**
07-11 **RAIL (VIRGINIA & SORA) SEASON RESTRICTIONS.** It is unlawful to take or attempt to take Rail other than from Sept. 10-Nov. 18, 2011.
PENALTY: \$200.00 to \$1,000.00.
- 12.07**
07-11 **WOODCOCK SEASON RESTRICTIONS.** It is unlawful to take or attempt to take woodcock other than from Nov. 5-Dec. 19, 2011.
PENALTY: \$200.00 to \$1,000.00.
- 12.09**
07-11 **COMMON SNIPE SEASON RESTRICTIONS.** It is unlawful to take or attempt to take common snipe other than from Nov. 1, 2011-Feb. 15, 2012.
PENALTY: \$200.00 to \$1,000.00.
- 12.11**
07-11 **PURPLE GALLINULE SEASON RESTRICTIONS.** It is unlawful to take or attempt to take purple gallinule other than from Sept. 1-Nov. 9, 2011.
PENALTY: \$200.00 to \$1,000.00.

12.13 **COMMON MOORHEN SEASON RESTRICTIONS:** It is unlawful
07-11 to take or attempt to take common moorhen other than Sept. 1-Nov.
9, 2011.

PENALTY: \$200.00 to \$1,000.00.

12.22 **CANADA GOOSE SEASON RESTRICTIONS.** It is unlawful to
07-11 take or attempt to take Canada geese other than from the zones and
dates listed below:

Early Canada Goose Statewide Season:

Sept. 1-15, 2011.

Northwest Canada Goose Zone Season:

Sept. 24-Oct. 3, 2011.

Late Canada Goose Statewide Season:

Dec. 26, 2008-Jan. 30, 2009.

Shooting hours are from one-half hour before sunrise to sunset in all
seasons.

EXCEPTION:

(1) Holla Bend National Wildlife Refuge is closed.

PENALTY: \$200.00 to \$1,000.00.

12.23 **CANADA GOOSE DAILY BAG AND POSSESSION**
07-11 **RESTRICTIONS.** It is unlawful to take or attempt to take more
than two (2) Canada geese in any one day or to possess more geese
than twice the daily bag limit.

EXCEPTION:

(1) The daily bag limit is five Canada geese from Sept. 1-15,
2011 and the possession limit is twice the daily bag limit.

PENALTY: \$100.00 to \$1,000.00.

15.42 **FALCONRY PERMIT.** It is unlawful for any person to possess,
07-11 take, or transport raptors or to use raptors to take game animals and
game birds without first obtaining a Falconry Permit from the
Arkansas Game and Fish Commission.

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(B) Permit Requirements:

It shall be unlawful for holders of Falconry Permits to fail to
comply with the following requirements:

- (1) Raptors may be taken from the wild by Permittees for
the purpose of falconry only, and then only as follows
 - (a) First year (Passage) birds may be taken on
Fridays, Saturdays, Sundays, and Mondays
only, from Sept. 1-Jan. 31, except that marked
raptors or jessed raptors held under permit
may be re-trapped at any time. Passage

peregrines may be taken from Sept. 20-Oct. 20, **2011** by an Arkansas resident falconer who has been issued an Arkansas Passage Peregrine Falcon Permit by the Commission in accordance with requirements stated on that permit.

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PENALTY: \$50 to \$1,000

FINANCIAL / ECONOMIC IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

(Attach additional pages if needed)

DEPARTMENT: Arkansas Game and Fish Commission

BUREAU: Wildlife Management

PERSON COMPLETING THIS STATEMENT: David Goad

TELEPHONE #: 501-223-6362 **FAX #:** 501-223-6452

EMAIL: cdgoad@agfc.state.ar.us

SHORT TITLE OF THIS RULE: Proposed 2011-2012 Early Migratory Bird Codes Approval

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: No: X
2. Do you believe that the development of a financial impact statement is so speculative as to be cost prohibitive? Yes: No: X If "Yes", please explain:
3. If the purpose of this rule is to implement a **federal** rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

General Revenue	\$ N/A
Federal Funds	\$ N/A
Cash Funds	\$ N/A
Special Revenue	\$ N/A
Other (Identify)	\$ N/A
Total	\$ N/A

Next Fiscal Year

General Revenue	\$ N/A
Federal Funds	\$ N/A
Cash Funds	\$ N/A
Special Revenue	\$ N/A
Other (Identify)	\$ N/A
Total	\$ N/A

4. What is the total estimated cost by fiscal year to any **party** subject to the proposed, amended, or repealed rule? (Estimated cost includes fees, administrative penalties, reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.) Identify the **party** subject to the proposed rule, and explain how they are impacted.

Current Fiscal Year: \$ N/A

Next Fiscal Year: \$ N/A

Party Subject to Rule: N/A

Effect on Party Subject to Rule: N/A

5. What is the total estimated cost by fiscal year to the **agency** to implement this rule? Explain the financial benefit to the agency from implementing this rule.

Current Fiscal Year: \$ N/A

Next Fiscal Year: \$ N/A

Financial Benefit to Agency: N/A

6. Do alternative means exist for accomplishing the objectives of the rules that might be less burdensome to small business? Yes: No: X

Why were such alternatives not proposed: N/A

7. Compare this rule with federal and state counterparts: N/A

Arkansas Game and Fish Commission
Little Rock, Arkansas

MINUTE ORDER No: _____	SUBJECT: <u>2011-2012 Early Migratory Bird</u>
DATE PASSED: <u>July 26, 2011</u>	<u>Codes Approval</u>
PAGE <u>1</u> of <u>1</u> PAGES	LOCATION: <u>Statewide</u>

WHEREAS, at meetings on June 15-16 and July 13-14, 2011, the Arkansas Game and Fish Commission reviewed and discussed proposals for hunting regulations for the 2011-2012 Waterfowl Hunting Seasons, including game seasons, bag limits and/or other manner-of-taking game requirements for early migratory birds; **and**

WHEREAS, the Wildlife Management Bureau has been involved in drafting the proposed regulations, which, in turn, have been reviewed and considered by the Commission's Regulations Committee; **and**

WHEREAS, after carefully considering the recommendations of Commission staff, as well as comments received from the public, the Regulations Committee voted to approve the regulations specified in the attached document "2011-2012 Early Migratory Bird Codes" for statewide application; **and**

WHEREAS, the proposed regulations have been communicated through a variety of media avenues to sportsmen and the general public throughout the state for review and comment; **and**

WHEREAS, the various sections of the AGFC Code Book affected by the adoption of these regulations must be replaced or amended, and then legally certified to the Secretary of State, the Arkansas State Library and the Bureau of Legislative Research in accordance with applicable law.

NOW, THEREFORE, BE IT ORDERED, this 26th day of July 2011, that the Arkansas Game and Fish Commission hereby approves and adopts the attached hunting regulations, which shall become effective immediately for the 2011-2012 hunting license year.

BE IT FURTHER ORDERED that the Commission staff is authorized to proceed with making the appropriate AGFC Code Book revisions and legal certification.

	<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>	
Submitted by:	_____	_____	_____
	David Goad	Chairman	Commissioner
Division:	_____	_____	_____
	Wildlife Management	Vice Chairman	Commissioner
Approved:	_____	_____	_____
	Director	Commissioner	Commissioner
Approved:	_____	_____	
	Legal	Commissioner	
Approved:	_____		
	Fiscal		

